srp.

HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2945 OF 2007.

Mohandas Shetty. ..Petitioner.
Versus.
The State of Maharashtra & ..Respondents.

None present.

CORAM: S. B. MHASE &
R.S.MOHITE, JJ.
DATE: JUNE 13, 2007.

P.C.

1. Learned counsel for the petitioner and the petitioner are absent. Petitioner is running the Video Game Parlour. Admittedly, he is not possessed of a licence. Therefore, the officers of the Police Department visited the Parlour and asked the petitioner to close down the business and/or he will be prosecuted. The petitioner states that he has applied for getting the licence, however it is not yet received. Under these circumstances the petitioner has approached this Court seeking appropriate writ prohibiting the officers of the respondent from stopping and/or closing down the business of the petitioner.

2. If the business of the petitioner requires a licence, in that circumstance the petitioner cannot run the business without obtaining the licence. Therefore, officers of the police are justified in asking the petitioner to stop the illegal business and a writ cannot

be issued as against the Government officers who are discharging their lawful duties.

3. So far as the application which is pending with the respondent is concerned, we direct the respondent to dispose of the said application on its own merits within a period of four weeks from today.

4. Petition is, thus disposed of.

(R.S.MOHITE, J.) **(S.B.MHASE, J.)**